

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Provide Equal Treatment for All Veterans in the Laws Governing the Maine State Retirement System

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §17760, sub-§3, ¶A, as enacted by PL 2003, c. 693, §3, is amended to read:

A. A member may purchase service credit at the cost set forth in subsection 4 if the member has at least ~~155~~ years of creditable service at the time of retirement, and the member makes payment as required under subsection 4 ~~and the member:~~

~~(1) Began membership prior to January 1, 1976;~~

~~(2) Served in the United States Armed Forces during any federally recognized period of conflict;~~
~~or~~

~~(3) Was awarded an Armed Forces Expeditionary Medal, a Combat Action Ribbon, a Combat Infantry Badge or any other campaign or expeditionary medal and the receipt of such a medal would allow the member to be considered "preference eligible" under 5 United States Code, Section 2108(3)(A) or 2108(3)(B). A member described in this subparagraph is entitled to purchase service credit at the cost set forth in subsection 4 only if a cost subsidy for that member's service credit has been paid to the retirement system as provided in subsection 6.~~

Sec. 2. 5 MRSA §17760, sub-§3, ¶C, as enacted by PL 2003, c. 693, §3, is repealed.

Sec. 3. 5 MRSA §17760, sub-§5, ¶C, as enacted by PL 2003, c. 693, §3, is amended to read:

C. A person who purchases service credit under this subsection and who subsequently, without inclusion of the purchased service credit and prior to retirement, becomes qualified for service credit at the cost set forth in subsection 4 is entitled to purchase the service credit under section 17713, subsection 2 and to receive a refund of the amount paid under this subsection that exceeds the cost to purchase the service credit under section 17713. A person who would have been qualified to purchase service credit under subsection 4 prior to retirement if a timely appropriation had been made under former subsection 6 is entitled to a refund under this subsection even if the person becomes qualified after retirement.

Sec. 4. 5 MRSA §17760, sub-§6, as enacted by PL 2003, c. 693, §3, is repealed.

SUMMARY

This bill allows members of the Maine State Retirement System with at least 5 years of creditable service who served in the Armed Forces of the United States and received an honorable discharge to purchase service credit for the time spent in the armed forces at a subsidized cost, whether or not the military time was during a federally recognized period of conflict or the member was awarded a campaign or expeditionary medal.